

Dick shall annually pay to the Secretary an amount equal to $\frac{1}{25}$ of the amount specified in section 3(B) of the Agreement.

(d) EFFECT.—Nothing in this Act—

- (1) allows the construction of any structure on the property described in subsection (b) not in existence on November 30, 2004; or
- (2) applies to the occupancy or use of the property described in subsection (b) by any person other than Betty Dick.

S. 585

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Rocky Flats Special Exposure Cohort Act”.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) The Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384 et seq.) (hereinafter in this section referred to as the “Act”) was enacted to ensure fairness and equity for the civilian men and women who, during the past 50 years, performed duties uniquely related to the nuclear weapons production and testing programs of the Department of Energy and its predecessor agencies by establishing a program that would provide efficient, uniform, and adequate compensation for beryllium-related health conditions and radiation-related health conditions.

(2) The Act provides a process for consideration of claims for compensation by individuals who were employed at relevant times at various locations, but also included provisions designating employees at certain other locations as members of a special exposure cohort whose claims are subject to a less-detailed administrative process.

(3) The Act also authorizes the President, upon recommendation of the Advisory Board on Radiation and Worker Health, to designate additional classes of employees at Department of Energy facilities as members of the special exposure cohort if the President determines that—

(A) it is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and

(B) there is a reasonable likelihood that the radiation dose may have endangered the health of members of the class.

(4) It has become evident that it is not feasible to estimate with sufficient accuracy the radiation dose received by employees at the Department of Energy facility in Colorado known as the Rocky Flats site for the following reasons:

(A) Many worker exposures were unmonitored over the lifetime of the plant at the Rocky Flats site. Even in 2004, a former worker from the 1950s was monitored under the former radiation worker program of the Department of Energy and found to have a significant internal deposition that had been undetected and unrecorded for more than 50 years.

(B) No lung counter for detecting and measuring plutonium and americium in the lungs existed at Rocky Flats until the late 1960s. Without this equipment, the very insoluble oxide forms of plutonium cannot be detected, and a large number of workers had inhalation exposures that went undetected and unmeasured.

(C) Exposure to neutron radiation was not monitored until the late 1950s, and most of those measurements through 1970 have been found to be in error. In some areas of the plant the neutron doses were as much as 2 to 10 times as great as the gamma doses received by workers, but only gamma doses were recorded. The old neutron films are being re-read, but those doses have not yet

been added to the workers’ records or been used in the dose reconstructions for Rocky Flats workers carried out by the National Institute for Occupational Safety and Health.

(D) Radiation exposures for many workers were not measured or were missing and, as a result, the records are incomplete or estimated doses were assigned. There are many inaccuracies in the exposure records that the Institute is using to determine whether Rocky Flats workers qualify for compensation under the Act.

(E) The model that has been used for dose reconstruction by the Institute in determining whether Rocky Flats workers qualify for compensation under the Act may be in error. The default values used for particle size and solubility of the internally deposited plutonium in workers are subject to reasonable scientific debate. Use of erroneous values could substantially underestimate the actual internal doses for claimants.

(5) Some Rocky Flats workers, despite having worked with tons of plutonium and having known exposures leading to serious health effects, have been denied compensation under the Act as a result of potentially flawed calculations based on records that are incomplete or in error as well as the use of potentially flawed models.

(6) Achieving the purposes of the Act with respect to workers at Rocky Flats is more likely to be achieved if claims by those workers are subject to the administrative procedures applicable to members of the special exposure cohort.

(b) PURPOSE.—The purpose of this Act is to revise the Energy Employees Occupational Illness Compensation Program Act so as to include certain past and present Rocky Flats workers as members of the special exposure cohort.

SEC. 3. DEFINITION OF MEMBER OF SPECIAL EXPOSURE COHORT.

(a) IN GENERAL.—Section 3621(14) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384(14)) is amended by adding at the end of paragraph (14) the following:

“(D) The employee was so employed as a Department of Energy employee or a Department of Energy contractor employee for a number of work days aggregating at least 250 work days before January 1, 2006, at the Rocky Flats site in Colorado.”

(b) REAPPLICATION.—A claim that an individual qualifies, by reason of subparagraph (D) of section 3621(14) of that Act (as added by subsection (a)), for compensation or benefits under that Act shall be considered for compensation or benefits, notwithstanding any denial of any other claim for compensation with respect to that individual.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 76—EXPRESSING THE SENSE OF THE SENATE ON THE ANNIVERSARY OF THE DEADLY TERRORIST ATTACKS LAUNCHED AGAINST THE PEOPLE OF SPAIN ON MARCH 11, 2004

Mr. LIEBERMAN (for himself, Mr. ALLEN, Mr. DODD, and Mr. BIDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 76

Whereas on March 11, 2004, terrorists associated with the al Qaeda network detonated a total of 10 bombs at 6 train stations in and around Madrid, Spain, during morning rush

hour, killing 191 people and injuring 2,000 others;

Whereas like the terrorist attack on the United States on September 11, 2001, the March 11, 2004, attacks in Madrid were an attack on freedom and democracy by an international network of terrorists;

Whereas the Senate immediately condemned the attacks in Madrid, joining with the President in expressing its deepest condolences to the people of Spain and pledging to remain shoulder to shoulder with them in the fight against terrorism;

Whereas the United States Government has continued to work closely with the Spanish Government to pursue and bring to justice those who were responsible for the March 11, 2004, attacks in Madrid;

Whereas the European Union, in honor of the victims of terrorism in Spain and around the world, has designated March 11 an annual European Day of Civic and Democratic Dialogue;

Whereas the people of Spain continue to suffer from attacks by other terrorist organizations, including the Basque Fatherland and Liberty Organization (ETA);

Whereas the Club of Madrid, an independent organization of democratic former heads of state and government dedicated to strengthening democracy around the world, is convening an International Summit on Democracy, Terrorism, and Security to commemorate the anniversary of the March 11, 2004, attacks in Madrid; and

Whereas the purpose of the International Summit on Democracy, Terrorism, and Security is to build a common agenda on how the community of democratic nations can most effectively confront terrorism, in memory of victims of terrorism around the world: Now, therefore, be it

Resolved, That the Senate—

(1) expresses solidarity with the people of Spain as they commemorate the victims of the despicable acts of terrorism that took place in Madrid on March 11, 2004;

(2) condemns the March 11, 2004, attacks in Madrid and all other terrorist acts against innocent civilians;

(3) welcomes the decision of the European Union to mark the anniversary of the worst terrorist attack on European soil with a Day of Civic and Democratic Dialogue;

(4) calls upon the United States and all nations to continue to work together to identify and prosecute the perpetrators of the March 11, 2004, attacks in Madrid;

(5) welcomes the initiative of the Club of Madrid in bringing together leaders and experts from around the world to develop an agenda for fighting terrorism and strengthening democracy; and

(6) looks forward to receiving and considering the recommendations of the International Summit on Democracy, Terrorism, and Security for strengthening international cooperation against terrorism in all of its forms through democratic means.

SENATE RESOLUTION 77—CONDEMNING ALL ACTS OF TERRORISM IN LEBANON AND CALLING FOR THE REMOVAL OF SYRIAN TROOPS FROM LEBANON AND SUPPORTING THE PEOPLE OF LEBANON IN THEIR QUEST FOR A TRULY DEMOCRATIC FORM OF GOVERNMENT

Mr. SANTORUM (for himself, Mr. BROWNBACK, Mr. ALLEN, Mr. DEMINT, Mr. BURR, and Ms. CANTWELL) submitted the following resolution; which was considered and agreed to:

S. RES. 77

Whereas since December 29, 1979, Syria has been designated a state sponsor of terrorism by the Secretary of State;

Whereas on December 12, 2003, the President signed the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (22 U.S.C. 2151 note), which declared the sense of Congress that the Government of Syria should halt its support for terrorism and withdraw its armed forces from Lebanon, endorsed efforts to secure meaningful change in Syria, and authorized the use of sanctions against Syria if the President determines that the Government of Syria has not met the performance criteria included in that Act;

Whereas the President has imposed the sanctions mandated by that Act, which prohibit the export to Syria of items on the United States Munitions List and the Commerce Control List, and has already imposed 2 of the 6 types of sanctions authorized by that Act, by prohibiting the export to Syria of products of the United States (other than food or medicine) and prohibiting aircraft of any air carrier owned or controlled by Syria to take off from or land in the United States;

Whereas the United Nations Secretary General, Kofi Annan, recently stated that Syria continues to maintain more than 14,000 troops in Lebanon;

Whereas United Nations Security Council Resolution 1559 (September 2, 2004) calls for the withdrawal of all foreign forces from Lebanon and for the disbanding and disarmament of all armed groups in Lebanon;

Whereas on February 14, 2005, the former Prime Minister of Lebanon, Rafik Hariri, and 18 others were assassinated in an act of terrorism in Beirut, Lebanon;

Whereas the Secretary of State recalled the United States Ambassador to Syria, Margaret Scobey, following the assassination of Rafik Hariri; and

Whereas, on February 28, 2005, the Prime Minister of Lebanon, Omar Karami, resigned, dissolving Lebanon's pro-Syrian Government; Now, therefore, be it

Resolved, That the Senate—

(1) condemns all acts of terrorism against innocent people in Lebanon and around the world;

(2) condemns the continued presence of Syrian troops in Lebanon and calls for their immediate removal;

(3) urges the President to consider imposing additional sanctions on Syria under the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (22 U.S.C. 2151 note); and

(4) supports the people of Lebanon in their quest for a truly democratic form of government.

SENATE RESOLUTION 78—RECOGNIZING AND HONORING THE LIFE OF ARTHUR MILLER

Mr. HATCH (for himself and Mr. KENNEDY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 78

Whereas the late Arthur Miller wrote some of the most revered works in the American dramatic canon including *All My Sons*, *After the Fall*, *The Crucible*, *The Price*, *The American Clock*, *A View from the Bridge*, *The Ride Down Mt. Morgan*, and *Death of a Salesman*;

Whereas Arthur Miller received the highest honors for artistic accomplishment and distinguished intellectual achievement in the humanities in this country, the Kennedy Center Honors and the National Endowment for the Humanities' Jefferson Lectureship;

Whereas Arthur Miller received every major award given to playwrights in the United States, including the Pulitzer Prize, the Tony Award, the Drama Desk, and the Drama Critics Circle;

Whereas Arthur Miller, through his service to the Dramatists Guild of America, has fought for the freedom of American playwrights to have their works performed as they intended and given all the protection the law can afford them;

Whereas Arthur Miller, through his service to PEN, the association of Poets, Essayists and Novelists, has fought for the freedom of imprisoned writers all over the world;

Whereas Arthur Miller's plays are taught in virtually every high school and college in the United States, and his new plays have been produced on Broadway for more than half a century;

Whereas Arthur Miller wrote about the lives and longings of American working men and women with a power and clarity unparalleled in modern literature;

Whereas Arthur Miller, in writing about "little men" as his heroes were called in the beginning, proved that little men do indeed suffer tragic losses, and that to defend or regain their dignity, they will lay down their lives as nobly as any king ever did;

Whereas Arthur Miller wrote about our indestructible will to achieve our humanity, about our fear of being torn away from what and who we are in this world, and about our fear of being displaced and forgotten;

Whereas Arthur Miller has maintained his vision and claimed his victory as the preeminent man of letters in the American theater; and

Whereas Arthur Miller enjoyed a long and luminous career before he died at the age of 89 on February 10, 2005, Now, therefore, be it:

Resolved, That the Senate—

(1) recognizes the extraordinary contributions of the late Arthur Miller for his service to the Nation in the theater, in literature, and in his advocacy of the freedom to speak and write with conviction and courage;

(2) honors him as a great American literary pioneer; and

(3) expresses its deepest condolences upon his death to his family members and his friends.

Mr. HATCH. Mr. President, I rise today to pay tribute to the legendary playwright Arthur Miller, who passed away on February 10, 2005 at the age of 89.

Anyone who has experienced "Death of a Salesman," "A View from the Bridge," "The Crucible," or any of his innumerable masterpieces would certainly agree that Arthur Miller established himself as one of the preeminent American playwrights of our time. A literary genius may have left us, but his work will live forever, from Broadway to the local high school or college theater.

Today my colleague from Massachusetts and I submit a resolution recognizing the genius of this literary giant, a man who not only captivated our souls with his art but also motivated us to protect the freedom to speak and write with conviction and courage.

I do not want to take up the Senate's time with a long biographical or literary commentary on the life and works of Arthur Miller because I know I would inevitably fail to do justice to him. Instead, I would like to share a personal experience that demonstrated the amazing and unique qualities of this wonderful man.

As some in the Senate will remember, one of Arthur Miller's last public speaking appearances was at a hearing before the Judiciary Committee last year, at which he advocated passage of the Hatch-Kennedy Playwrights Licensing Antitrust Initiative Act.

The day of the hearing, I had the opportunity to meet privately with Mr. Miller in my Senate office. Though well into his eighties, he spoke with passion and eloquence about the critical importance of live theater and writers to social, intellectual, and political discourse in our country. He also demonstrated his delightful—and occasionally devilish—wit and prodigious intelligence, both of which he had retained in extraordinary abundance.

Although we came from very different backgrounds, and radically different political perspectives, it was an honor and a sincere pleasure to come to know—however briefly—a man of his stature, accomplishments, and surpassing intellect.

Our lives were enriched by Arthur Miller, and we—as individuals, as a people, and as a Nation—are diminished by the passing of so magnificent an American talent. He will be sorely missed, and will be remembered with reverence and affection by those—like me—whose lives he touched.

I hope that my colleagues will join me and Senator KENNEDY—who is the leading cosponsor of this resolution—in recognizing and honoring the life and accomplishments of Arthur Miller by supporting swift passage of this resolution.

I ask unanimous consent that the remarks of Arthur Miller before the Senate Judiciary Committee on April 28, 2004, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Mr. Chairman. Members of the Committee. It is indeed an honor to appear before you today in support of S. 2349, The Playwrights Licensing Antitrust Initiative Act of 2004.

In preparing for this testimony today, I am reminded of Muriel Humphrey's admonishment to her husband: "Hubert, a speech does not need to be eternal to be immortal." I will take that advice to heart as I testify today.

It has been some time since I was last asked to testify before Congress. But, I have to tell you, today I am actually happy to appear on behalf of what I believe is truly an important topic worthy of Congressional debate and action—the future of the American theater.

I have been blessed to be lucky enough to be a successful playwright. Many of my plays, I am proud to say, have won critical acclaim—Death of a Salesman and The Crucible won a Pulitzer and a Tony award respectively.

I raise these plays, and my success, not to brag, but to emphasize an important point: I and my colleagues before you today are here not for ourselves, but for others. We are speaking on behalf of the up and coming playwrights: The Arthur Millers, the Stephen Sondheims and the Wendy Wassersteins